

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
SIXTH DIVISION

James Kurtz,

Plaintiff,

v.

Pleasureland, Incorporated,

Defendant.

COMPLAINT

JURY TRIAL DEMANDED

Plaintiff James Kurtz, for his claim for relief, states and alleges that:

I – PARTIES

1. James Kurtz is a citizen of Illinois.
2. Defendant Pleasureland, Incorporated is a Minnesota corporation with its principal place of business in Stearns County.

II – JURISDICTION

1. Jurisdiction of the above-named Court is invoked pursuant to 28 U.S.C. Section 1332 (a) (2) on the grounds of diversity of citizenship and jurisdictional amount.
2. The amount in controversy exceeds the sum of Seventy-Five Thousand and no/ 100 Dollars (\$75,000.00) exclusive of costs and interest.

III. VENUE

Venue is properly in the District of Minnesota, Sixth Division, under the facts set forth herein pursuant to 28 U.S.C. § 1391(a).

IV. JURY DEMAND

Plaintiff hereby demands a jury trial of all issues pursuant to FRCP 38.

V – STATEMENT

1. Plaintiff James Kurtz was born in 1958 and presently lives in Illinois.

2. On March 4, 2011, plaintiff James Kurtz was self-employed and working for Indiana Transport, an Indiana company on a lease-out basis. Plaintiff was hired to transport a travel trailer from Joliet, Illinois to Pleasureland RV in Brainerd, Minnesota.

3. Plaintiff James Kurtz was hired to transport a travel trailer from Joliet, Illinois to Pleasureland RV located in Brainerd, Minnesota.

4. Employees of defendant Pleasureland, Incorporated, greeted him upon his arrival and instructed him to pull his truck up next to the office building.

5. Employees of Pleasureland, Incorporated, then directed him to move his truck about 30 yards away where he did so and parked his truck with the trailer attached.

6. At all times here material defendant's employees were responsible for the removal of snow and ice and salting and sanding so as to make their premises reasonably safe for visitors.

7. Plaintiff James Kurtz stepped out of his truck and walked a short distance when he slipped and fell on ice on the defendant's premises, suffering a severe fracture to his ankle.

8. Plaintiff James Kurtz's injuries were a direct result of the defendant's failure to adequately inspect their premises and in failing to provide any salt, sand or other abrasive for the benefit of their customers and visitors.

9. Defendant's employees knew of the icy conditions and knew that the unsalted or sanded ice was a hazard to customers or other visitors.

10. As a result of this hazardous condition, plaintiff James Kurtz sustained a permanent injury resulting in loss of income, and a permanent diminution of his future earning capacity. He has in the past and will in the future suffer pain as a result of his injuries. He has in the past and will in the future incur medical and hospital expenses for the treatment of these injuries. Therefore, plaintiff James Kurtz

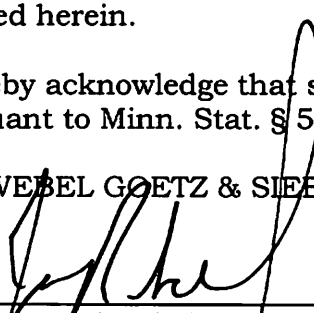
has been damaged and injured in an amount greater than Five Hundred Thousand and no/100 (\$500,000) Dollars.

WHEREFORE, plaintiff prays judgment against defendant in an amount greater than Five Hundred Thousand and no/100 (\$500,000) Dollars, together with interest, costs and disbursements incurred herein.

I hereby acknowledge that sanctions may be awarded pursuant to Minn. Stat. § 549.211.

SCHWEBEL GOETZ & SIEBEN, P.A.

Dated: 11-7-11

By 
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